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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard F. Huyser, et al.

Serial No.: 10/043,842

Group Art Unit: 1723

Filed: 01/10/2002

Examiner: Soohoo, Tony Glen

Title: Container Assembly for Mixing Materials

Attorney Docket No.: 60,210-089

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Official Action dated 11/06/2003, please amend the subject application as follows and consider the accompanying remarks.

03/03/2004 KBUTLER 00000001 082789 10043842

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claimed with a chamfer disposed on the base to guide a distal end of the sealing portion into a mixing chamber of the base. The base of the Livingstone patent in no way has a chamfer angling inwardly from a top surface toward an inner wall. As such, the sealing portion of the Livingstone patent is in no way guided into the mixing chamber.

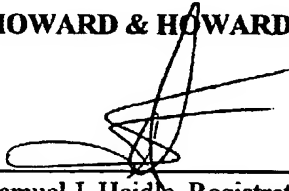
In light of the above remarks, amended Claim 1 is believed allowable. Claims 3 - 22 are also believed allowable as these claims depend upon the novel features of independent Claim 1.

Accordingly, it is respectfully submitted that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited. The Commissioner is authorized to charge our Deposit Account No. 08-2789 for any fees or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

Date: February 5, 2004



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CERTIFICATE OF MAILING

I hereby certify that the attached Amendment and fee are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on February 5, 2004.



Brenda J. Hughes